

# **EXHIBIT F**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL WARD d/b/a BRAINTEASER  
PUBLICATIONS,

Plaintiff,

vs.

BARNES & NOBLE, INC., STERLING  
PUBLISHING CO., INC., FRANCIS HEANEY,  
and PATRICK BLINDAUER,

Defendants.

13-cv-7851 (JMF)

**PLAINTIFF'S SPECIAL VERDICT  
FORM**

We, the jury impaneled in this matter, hereby answer the Special Verdict questions put to us as follows:

1. Did Defendant Sterling obtain copyright registrations on Ward's behalf that cover either the text, entire text, or compilation of the Ward Books?

YES \_\_\_\_\_

NO \_\_\_\_\_

If you answered "NO" to Question No. 2, do not answer the remaining questions. Sign and date the Special Verdict Form and notify the bailiff. If you answered "YES" to Question No. 1, proceed to Question No. 2.

2. Are the instruction pages contained in the Ward Books identical or at the very least in some instances substantially similar to the Challenged Books?

YES \_\_\_\_\_

NO \_\_\_\_\_

If you answered "NO" to Question No. 1, do not answer the remaining questions. Sign and date the Special Verdict Form and notify the bailiff. If you answered "YES" to Question No. 2, proceed to Question No. 3.

3. Did the Defendants take the game instructions that appear in the Ward Books and use them in the Challenged Books without Ward's consent or authorization and have the Defendants therefore infringed on Plaintiff's copyright ownership of the Ward Books?

YES \_\_\_\_\_

NO \_\_\_\_\_

If you answered "NO" to Question No. 3, then the Defendants are not liable for copyright infringement, if you answered "YES" then the Defendants are liable, proceed to Question Nos. 4 and 5..

4. Do you find that the infringements by the Defendants were committed willfully?

YES \_\_\_\_\_

NO \_\_\_\_\_

If you answered "YES" to Question No. 4, would you award the Plaintiff the maximum statutory damages of \$150,000 for each infringement?

YES \_\_\_\_\_

NO \_\_\_\_\_

If you answered "YES" to Question No. 4 skip directly to question number 6 and do not answer question No. 5. If you answered "NO" to Question No. 4, proceed to Question No. 5.

5. If the Defendants infringements were not done willfully but they are nonetheless not innocent infringers what statutory damages do you award Plaintiff (between \$750 and \$30,000) for each infringement?

\$ \_\_\_\_\_

6. The law allows a prevailing Plaintiff in Willful Copyright Infringement actions to recover attorney's fees, in this case the Plaintiff was hired on a contingency fee basis whereby he only gets compensated if his client recovers a monetary sum, the percentage that the client and attorney have agreed upon is one-third ( $\frac{1}{3}$ ) of the recovery, should this amount be added to the Plaintiff's judgment?

YES \_\_\_\_\_

NO \_\_\_\_\_

7. The law allows a prevailing party to recover pre-judgment interest, the rate in effect in the State of New York where this court resides is 9% per annum, should this amount be added to Plaintiff's judgment from the date of the first infringement?

YES\_\_\_\_\_

NO\_\_\_\_\_

Sign and date the Special Verdict Form and notify the bailiff.

SIGNED this \_\_\_\_ day of June, 2015

\_\_\_\_\_  
JURY FOREPERSON